



City of Seattle

Edward B. Murray, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Numbers: 3020494
Applicant Name: Port of Seattle
Addresses of Proposal: 2001 W. Garfield Street

SUMMARY OF PROPOSED ACTION

Land Use Application to demolish a 24,222 square foot warehouse building (W-50). Concrete slab to remain. Environmental documents prepared by Port of Seattle.

The following approval is required:

SEPA – Environmental Determination – pursuant to Seattle Municipal Code 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

BACKGROUND DATA

Site Location and Zoning

The property lies within the Terminal 91 complex north of Elliot Bay Marina. The site is lower in elevation than the Magnolia/Garfield Street Bridge and nearby residential uses located to the west. The Magnolia Greenbelt and Elliot Bay Trail are directly west of the project area.

The subject property is zoned General Industrial (IG1 U/45). Commercial uses in this zone are restricted to 45' while other permitted uses have no height limit. The following ECA conditions are mapped: Steepslope, Potential Slide, Liquefaction,



and Knownslide Area. DPD has determined the proposed site work is located outside of the ECAs.

Site Area and Existing Uses/Conditions

The port operates Marine Maintenance North Operations (MMNO) out of the subject property, a discrete site within the overall Terminal 91 campus. The site contains a 24,222 sq. ft. warehouse identified as W-50 on the plan set, a 1,848 sq. ft. modular building, and a trailer for maintenance staff. Twenty employees work at the subject property.

Project Description

The Port of Seattle proposes demolition of the W-50 building. The warehouse, constructed in 1945, will be assessed for any asbestos or lead based paint abatement. The concrete slab will remain and a thin layer of asphalt placed over its surface. Appurtenant/Accessory structures in the right-of-way will also be removed. Utilities will be improved through identifying opportunities for relocation and abandonment. Storm drainage will flow into the existing stormwater system. Underground storage tanks encountered during construction will be removed. The SEPA checklist notes there could be up to 10,000 cubic yards of excavation or fill. Existing vegetation will not be removed.

After demolition the site will be enclosed in a chain-link fence and used for outdoor storage and other maintenance activities. Modular structures and lighting will be placed on site as needed to support marine maintenance staff and operations. Curbing will be repaired or replaced as necessary. The number of workers may increase to 30.

The following equipment is likely to be utilized at the site during demolition and construction:

Excavators, backhoes, front end loaders, dump trucks, delivery trucks; and compressors, hydration equipment (to further minimize dust-generation during the project), pumps, blowers, air monitoring equipment construction lighting, and fans.

Notice and Comment Period

Notice of the application was published on September 2, 2015. The required public comment period ended on September 16, 2015. The Land Use Application file is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000.¹ One person submitted a written comment with concerns regarding construction noise, lighting, and rat abatement.

ANALYSIS - SEPA

The Port of Seattle submitted a completed Determination of Non-Significance on August 10, 2015. Acting as lead agency, it outlined potential impacts from the proposed warehouse demolition. The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address an environmental impact, it shall be presumed that*

¹<http://www.seattle.gov/dpd/aboutus/whoweare/publicresourcecenter/default.htm>

such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-term Impacts

The following temporary construction-related impacts are expected: increased noise during work hours from construction operations and equipment; minor increased traffic and parking demand from construction personnel; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section 25.05.794). These are not significant, minimally adverse impacts.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for some of the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance, SMC 22.800 (storm water runoff, temporary soil erosion, and site excavation); and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction).

Drainage and Earth

The amount of impervious surface will not be increased with this application and there are no planned increases from upland flows to the subject property. Stormwater will be conveyed and treated within the site’s existing system and no waste materials will be discharged into the water table. During construction stormwater may need to be rerouted on a temporary basis. DPD’s review of the building permit will assess the system’s ability to protect water quality as the system will include new surface drainage from the outdoor storage and maintenance area.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cu. yds. of material. The current proposal involves possible grading of up to 10,000 cu. yds. for utility trenching and possible excavation of underground storage tanks. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Any additional information required verifying conformance with applicable ordinances and codes (The Stormwater, Grading and Drainage Control Code, DR 3-93, and 3-94) would be required prior to issuance of any required building permits or demolition permits.

Air Quality

The anticipated temporary particulate pollution from the project should be minimal as the applicant is required to stabilize soils under SMC Stormwater Code 22.805.020.7. Additional SEPA mitigation of air quality impacts appears to be unwarranted.

Environmental Health

There may an underground storage tanks present on the site.

Asbestos building materials and lead based paint may be present due to the age of the building. The building will be surveyed for hazardous material prior to demolition by an Asbestos Hazard Emergency Response Act (AHERA) certified inspector.

State law provides for the cleanup and appropriate disposal of hazardous substances. The Model Toxics Control Act (Chapter 70.105D RCW, WAC 173-340) is administered by the Washington Department of Ecology (DOE) and establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located. For further information contact: Louise Bardy, lbar461@ecy.wa.gov, (525) 649-7209, DOE, (425) 649-7202.

Discharge of contaminated groundwater to the sewage system is regulated by the King County Department of Natural Resources under Public Rule PUT 8-14. A factsheet and permit application is available online or by calling (206) 263-3000. The applicant understands that project requires a water sewer discharge permit.

Disposal of contaminated fill is regulated by the City/County Health Department, contact: Dean Yasuda, dyas461@ecy.wa.gov, (425) 649-7264.

Existing regulations adequately address potential impacts to environmental health. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

Construction Noise

As remediation proceeds, noise associated with construction activities at the site is anticipated to be minimal on the surrounding residential, commercial, and industrial uses. The Noise Ordinance is found to adequately mitigate the potential noise impacts, subject to the following condition pursuant to the SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B):

Truck Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. Truck traffic will use Elliot Avenue West, an arterial roadway to access the site. Traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC 11.62. This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675 B (Construction Impacts Policy) and SMC 25.05.675 R (Traffic and Transportation) additional mitigation is warranted.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 10,000 cubic yards of soil are expected to be excavated from the project site with possible fills of 10,000 cubic yards. Excavation and fill activity could require approximately 2,000 round trips with 10-yard hauling trucks or 1,000 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cease truck trips during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC 11.62.

City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these include: the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of short-term impacts and no further conditioning is warranted by SEPA policies.

Construction activities, primarily vehicular trips associated with the project and the project’s energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long Term Impacts

Land Use

The proposed construction is not anticipated to interrupt any existing land use, and no post-project land use has been identified. No mitigation is warranted pursuant to SEPA policy.

Lighting

The site is planned for an enclosed outdoor storage area associated with MMNO’s maintenance division. Lighting will be installed for staff support and general operations. Conditions of approval will require the lighting to all be downward facing and include spill eliminators to reduce impacts to nearby residences.

Historic and Cultural Resources

An analysis of the building’s historical significance was transmitted to the Department of Neighborhoods on October 8, 2015. They determined that it is unlikely the warehouse building would qualify for designation as an individual landmark. The applicant also contacted the State Office of Archeology and Historic Preservation (OAHP). The historic shoreline may have been

located through the property. OAHP requested a set of construction site practices to protect any historic resources.

The historic shoreline is approximated by the US Government's meander line map. The City's mapping system shows the meander line traveling through the subject property.

Parts of the site near Elliot Bay have been subject to industrial development but the area landward of the Piers 90 and 91 has only been subject to fill. This data combined applicant's research and correspondence with OAHP suggests archeologically significant materials could be encountered during construction though there are no known archeologic sites on the subject property. Director Rule 2-98 requires a series of construction practices to preserve any archeological finds. These are included as conditions of approval.

CONCLUSION - SEPA

In conclusion, several temporary adverse effects on the environment are anticipated resulting from the proposal. These impacts are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible DPD official and lead for determining project conditions as may be required based on authority granted by SEPA. The completed environmental checklist and other information is on file with DPD. This information constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

CONDITIONS – SEPA

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the grading permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

The owner(s) and/or responsible party(s) shall:

Prior to Issuance of Master Use Permits:

1. The owner and/or responsible parties shall provide DPD with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

During Demolition, Grading, or Building Permit

2. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
 - Stop work immediately and notify DPD (Joshua Johnson, 206-684-8278) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
 - Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.
3. Large trucks (greater than two-axle) shall be prohibited from entering or exiting the site between 4:00 and 6:00 p.m.
4. All construction activities are subject to the limitations of the Noise Ordinance.² Construction activities shall be limited to Monday thru Friday between the hours of 7:00 am and 7:00 pm. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

For the Life of the Project

5. All lighting for the project shall be downward facing and include shielding to prevent any impacts to adjacent residential properties.

Construction activities outside the above-stated restriction may be authorized by DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours are weekend days must be submitted to **Noise Abatement Coordinators** – David George david.george@seattle.gov (206) 684-7843 or Jeff Stalter jeff.stalter@seattle.gov (206) 615-1760 or James Dasher (james.dasher@seattle3.gov, (206) 615-1190 – at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Josh Johnson, Land Use Planner
Department of Planning and Development

Date: November 30, 2015

JRJ:bg

Johnson/3020494-2001 W. Garfield St.docx

² Including but not limited to demolition, grading, deliveries, framing roofing, and painting.

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.